JC10 Rec'd PCT/PTO 1 7 JUN 12605 02-2005)

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

Becker-1009 US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371** INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/EP2003/011575 18 October 2003 (18.10.2003) 19 December 2002 (19.12.2002) TITLE OF INVENTION GAS FLUSHING DEVICE FOR METALLURGICAL MELTING POTS APPLICANT(S) FOR DO/EO/US TAFERNER, Johannes; WILPERNIG, Alfred; MAION, Romano Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). b. has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. 🔽 An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. [7] An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. 17. L A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case, Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Other items or information: Statement Under 37 CFR 3.73(b)

20.

Page 1 of 2

PTO-1390 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0651-0021
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U.S. APPLICAT	TON NO (isknown), sp 37CF2 1.	I INTERNATIONAL A	PPLICATION NO.	ATTORNEY'S DOC	KET NUMBER
U.S. APPLICATION NO. 15540 164 PCT/EP2003/011575					Becker-1009 US	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY	
21. A Basic national fee\$300			\$ 300.00			
22. Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)					\$ 200.00	
23. Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. \$100 International Search Report prepared and provided to the Office \$400 All other situations. \$500					\$ 400.00	
TOTAL OF 21, 22 and 23 =					\$	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets		ch additional 50 or fraction up to a whole number)	RATE		Į.
- 100 =	/50 =			x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).					\$ 0.00	
CLAIMS NUMB		ER FILED	NUMBER EXTRA	RATE	\$	
Total claims		48 - 20 =	28	× \$ 50	\$ 1,400.00	
Independent clair	ms	1 -3=	0	× \$200	\$ 0.00	
MULTIPLE DEPE	MULTIPLE DEPENDENT CLAIM(S			+ \$360	\$ 360.00	
TOTAL OF ABOVE CALCULATIONS =					\$ 2,660.00	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						
SUBTOTAL =					\$ 2,600.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$ 0.00	•
TOTAL NATIONAL FEE =					\$ 2,660.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 2,700.00		
				Amount to be		
				refunded:	\$	
					Amount to be charged:	\$
a. A check in the amount of \$ to cover the above fees is enclosed.						
b. Please charge my Deposit Account No. 10-0637 in the amount of \$ 2,700.00 to cover the above fees. A duplicate copy of this sheet is enclosed.						
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0637. A duplicate copy of this sheet is enclosed.						
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be Included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the international Application to pending status.						
SEND ALL CORRESPONDENCE TO:					1	
Customer No. 07733 SIGNATURE						
Customer No. 07733 Walker & Jocke LPA Christopher				. Parmelee		
231 South Broadway NAME						
Medina, OH 44256 42,980						_
REGISTRATIO					ON NUMBER	

JC09 Rec'd PCT/PTO 17 JUN 2005

a legal professional association

Christopher L. Parmelee

Patent

Trademark Law

June 17, 2005

Mail Stop PCT Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

International Application No. PCT/EP2003/011575

Walker

International Filing Date: 18 October 2003

Title: GAS FLUSHING DEVICE FOR METALLURGICAL

MELTING POTS

Petitioner's Docket No.:

BECKER-1009 US

Sir:

Please find enclosed Applicant's TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. § 371. (FORM PTO-1390) and listed enclosures.

This is an express request to begin national examination procedures (35 U.S.C. 371 § (f)) for the above referenced International Application. Please charge deposit account 10-0637 (Walker & Jocke) for the fees due.

Respectfully,

Christopher L. Parmelee Registration No. 42,980

Enclosures

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 17th day of June 2005.

EV601906035US

Express Mail Label No.

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330 • 225 • 1669 CLEVELAND

FAC&IMILE

Ohio

Christopher L. Parmelee walkcrandjocke.com E-MAIL

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STATEMENT UNDER 37 CFR 3.73(b)
Applicant/Patent Owner: TAFERNER, Johannes, et al.
Application No./Patent No.: Filed/Issue Date: Herewith
Entitled: GAS FLUSHING DEVICE FOR METALLURGICAL MELTING POTS
Refractory Intellectual Property GmbH & Co. KG , a Corporation (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, povenment agency, etc.)
states that it is: 1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is% in the patent application/patent identified above by virtue of either:
A. [r] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
OR
B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: 1. From: To: The document was recorded in the United States Patent and Trademark Office at
Reel, Frame, or for which a copy thereof is attached.
From:
3. From:
3. From:
[] Additional documents in the chain of title are listed on a supplemental sheet.
[~] Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (<i>i.e.</i> , a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. April 18, 2005 Refractory Intellectual Property 'Dr'. Stefan Pirker/Dr. Robin Schmid
Date GmbH & Co. KG Typed or orinted name Whitley
Telephone number Signature Managing Directors
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Info mation Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.